

EDWIN K. PRATHER (State Bar No. 190536)
CRAIG H. BESSENGER (State Bar No. 245787)
CLARENCE & DYER LLP
899 Ellis Street
San Francisco, California 94109
Telephone: 415.749.1800
Facsimile: 415.749.1694
Email: eprather@clarencedyer.com
cbessenger@clarencedyer.com

Attorneys for Defendant Jeffrey Harrison

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

JEFFREY HARRISON,

Defendant.

Case No. CR-07-0594 PJH

**DECLARATION OF EDWIN K.
PRATHER IN SUPPORT OF
DEFENDANT JEFFREY HARRISON'S
MOTION TO MODIFY CONDITIONS OF
PRETRIAL RELEASE**

Date: January 17, 2008
Time: 9:30 a.m.
Judge: Hon. James Larson

I, EDWIN PRATHER, declare the following:

1. I am an attorney at law licensed to practice in the State of California and an attorney of record for the defendant Jeffrey Harrison in the above-captioned case. I make this declaration in support of Mr. Harrison's Motion to Modify Conditions of Pretrial Release. I have personal knowledge of the following facts and, if called upon to do so, I could and would competently testify thereto.

2. Per the terms of Mr. Harrison's release, he is not allowed to travel outside of the United States.

3. Mr. Harrison intends to travel to Manila in connection with the business he started, Global Mobile Technologies (GMT), which is developing new methods of

1 delivering internet content to cellular phones. Prior to his arrest in this matter, Mr. Harrison
2 served as GMT's CEO and legal counsel, and developed the company's business and technology
3 models. Investors have contributed more than \$7,000,000 to GMT.

4 5. GMT has been without executive leadership since Mr. Harrison's arrest in
5 this matter. Three executive team candidates will be in the Philippines to meet Mr. Harrison, be
6 briefed on the company's technologies and business models, and be presented to GMT's
7 proposed customers and business partners. These entities include Proctor & Gamble, JobsDB,
8 Philippine Long Distance Telephone Company, and Smart Cellular.

9 6. GMT and Mr. Harrison have previously attempted, and failed, to conduct
10 these detailed presentations to executive candidates and proposed customers without Mr.
11 Harrison's personal presence.

12 7. Attached as "Exhibit A" is a letter from Michael Dobbs-Higginson, as well
13 as a biography of Mr. Dobbs-Higginson. He is the former chairperson of Merrill Lynch Asia
14 Pacific, and current chairperson of GMT's board of directors. Mr. Dobbs-Higginson is also in
15 charge of funding GMT, and his letter details the necessity of Mr. Harrison's trip. Mr. Dobbs-
16 Higginson believes that, absent Mr. Harrison's personal presence at these meetings, GMT will
17 dissolve and its investors will lose their money.

18 8. Attached as "Exhibit B" are two samples of press articles about GMT's
19 technologies.

20
21 Dated: January 10, 2008

Respectfully submitted,

22 /s/: Edwin K. Prather
23 EDWIN K. PRATHER
24 Clarence & Dyer LLP
25 Attorneys for Jeffrey Harrison
26
27
28

1 Proof of Service

2 I, Abbie Chin, declare as follows:

3 I am over eighteen years of age and not a party to the within action; my business address
4 is 899 Ellis Street, San Francisco, California 94109; I am employed in the County of San
5 Francisco.

6 On January 11, 2008, I served a copy, with all exhibits, of the following documents:

7 • **DECLARATION OF EDWIN K. PRATHER IN SUPPORT OF DEFENDANT**
8 **JEFFREY HARRISON'S MOTION TO MODIFY CONDITIONS OF PRETRIAL**
9 **RELEASE**

10 ____X____ (BY ELECTRONIC SERVICE) I caused an electronic delivery subject to 28 U.S.C
11 ¶1746, Local Rules or General Orders of this Court regarding Electronic Case Filing. All
12 pleadings and papers must be electronically served in accordance with those Rules or General
13 Orders with email address(es) as noted below:

14 **Denise Marie Barton**
15 United States Attorney's Office
16 450 Golden Gate Avenue, 11th Floor
17 Box 36055
18 San Francisco, CA 94102
415-436-7359
Fax: 415-436-7234
Email: denise.barton@usdoj.gov

19 I declare under penalty of perjury under the laws of the state of California that the
20 foregoing is true and correct and that this declaration was executed on the above stated date.

21
22 /s/: Abbie Chin
23 Abbie Chin
24
25
26
27
28

EXHIBIT A



Global MobileTech Pte. Ltd.
80 Raffles Place, Level 35-01 UOB Plaza, Singapore 048624
Office: +65-6248-4748 | Fax: +65-6248-4501 | www.push-it.com

PUSH-IT

10th January, 2008

To: The United States District Court,
Northern District of California
Re: Jeffrey B. Harrison

Sirs,

My name is Michael Dobbs-Higginson, and I am the Chairman of Global Mobile Technologies Pte Ltd., Singapore ("GMT"), with our principal operating office being in Manila, Philippines. I am writing this letter both to support, and verify, a request of Mr. Jeffrey Harrison to obtain permission from the Court to travel to Manila, Philippines for one week commencing January 18 and returning January 26, 2008. He would travel with three US citizen candidates for executive positions that will replace, and strengthen, his former position in our company.

By way of background, I am aware of Mr. Harrison's current situation. At the time of the event of July 1, 2007 he was responsible for launching GMT; he was then its CEO and Attorney and the principal architect of its business plan. I, as the former Chairman of Merrill Lynch Asia Pacific, was and still am in charge of the funding of the company and leading the company as Chairman of the Board of Directors.

Mr. Harrison and the Board have been working diligently to replace Mr. Harrison and to get competent personnel in place. This has been a long and arduous process, which we hope has come to a point of near successful conclusion. It is critical, as there has been over \$7 million dollars invested in the company by private investors and the company desperately needs executive leadership immediately or it will fail.

We are accordingly requesting the Court to graciously allow Mr. Harrison to travel with three prospective executive candidates on a short trip to Manila on the dates set out above. This is very critical, as he needs to be able to turn over the CEO reins by give these prospective executives a full presentation of the technologies and business model, and present them to the prospective adopting partners and customers. This is required because there is honestly no other person in the company that can fill these necessary executive positions. As a start-up, Global Mobile was thinly staffed, and there was not a back-up for Mr. Harrison.

We previously tried earlier to do this remotely with two other prospective CEO candidates and it just did not work. Neither of the candidates accepted the position because of their lack of both their understanding of multiple factors and the lack of interaction and involvement of Mr. Harrison. We tried by numerous long distance telephone calls and memos sent by Mr. Harrison all of which proved insufficient in achieving the desired result.



Global MobileTech Pte.Ltd.

80 Raffles Place, Level 35-01 UOB Plaza, Singapore 048624

Office: +65-6248-4748 | Fax: +65-6248-4501 | www.push-it.com

PUSH-IT

I have known Mr. Harrison for over 10 years, both personally and in businesses that I have been involved in. I can say without hesitation that I know he will return on the appointed day and that he will strictly comply with any Court orders relating to such possible permission being granted for such trip. Other than this event, his conduct has been exemplary in every aspect of all the prior business and social activities that I have been involved in with him; and there were many such involvements on a continuous basis over the last decade.


The trip is scheduled and meetings are arranged for the three executive candidates, and I will also be going to Manila for a portion of such meetings. Our problem is that Mr. Harrison is the person with whom all of such meetings should take place, because, as stated above, I do not have the full knowledge of the technology and its applications.

In the absence of Mr. Harrison being present at the forthcoming meetings in Manila, there is again a very strong likelihood that the prospective executives will not take up the positions being offered to them, as, without Mr. Harrison being present, they will not get the understanding that they need to accept our employment offers. They have personally also made the request to Global Mobile that Mr. Harrison come to take them through both the process and all the meetings that are so critical to their being able to make an informed decision. The Board and the investors greatly fear that the implosion that is looming due to our having no executive management in place will occur if these candidates do not accept the position. If this happens many people will lose their investment and people their jobs, as the company will collapse. I can tell this Honorable Court with total candor, that chaos has been the rule of the day since the 1st July '06 event occurred and Mr. Harrison was subsequently unavailable to discharge his duties as CEO. If proper personnel are not brought on board now it is clear that our company will not survive.

I am available to discuss this request by phone and would call the Court if there is any question or any issue to be discussed. I currently reside in Singapore, where I am recovering from a major cancer operation and treatment, so I cannot personally make the long trip to deliver this request in person to the Court. I can however call the Court at any time suitable to the Court in order to answer any questions that the Court may wish to pose.

Thank you for your consideration of our request and I will await the Court's response or its request for a call.

Respectfully yours,


Michael Dobbs-Higginson
Chairman of the Board of Directors
Global Mobile Technologies Pte Ltd
Singapore and the Philippines

Copy to: GMT's Board of Directors

Michael S. Dobbs-Higginson

Born in Rhodesia (now Zimbabwe), Michael S. Dobbs-Higginson began his business career in Japan, where from 1967-1972 he set up and ran five separate companies in Tokyo involved in travel, real estate, business consulting, exports and automotive engineering.

From 1973–1990 Michael was an investment banker, first with Credit Suisse First Boston as a member of its Executive Committee and responsible for its Africa and Asia Pacific regions, then with Merrill Lynch & Co. as a member of its Global Capital Markets Executive Committee and as Chairman of its Asia Pacific region.

Since 1990 Michael has been engaged, *inter alia*, in investment banking and direct investments in the Asia Pacific region both for his major corporate clients and for his own account. He is Chairman of Dobbs-Higginson & Associates SA, providing advice to global companies regarding business development, acquisitions and investments in the Asia Pacific region – with a current focus on the real estate, software, digital animation and telecom sectors.

Michael founded and chairs The Turreau Foundation (France), a non-profit entity bringing together senior corporate and governmental decision-makers from Asia and Europe in private retreats to discuss world affairs. He chairs SATS, Limited (UK), serving clients around the world with regard to security paper, ink, printing, holograms and equipment in verifying the identity of people, securities and products.

Michael is chairman and chief executive of CallKey Group Limited, and a non-executive director or senior advisor to a number of companies, including two publicly listed companies: Pacific Concord Ltd. (Hong Kong) and Hotel Properties Ltd. (Singapore).

Michael authored two non-fiction books, including the best-selling ***Asia Pacific: its Role in the New World Disorder*** (1993, in English, Japanese and Korean), and he is a well-known speaker and writer on Asian Pacific affairs. Michael is fluent in Japanese.

Michael brings to Second Stage specialist knowledge in the areas of strategic development, corporate restructuring, funding in the Asian capital markets, and in the identification of new strategic partners and/or licensees.

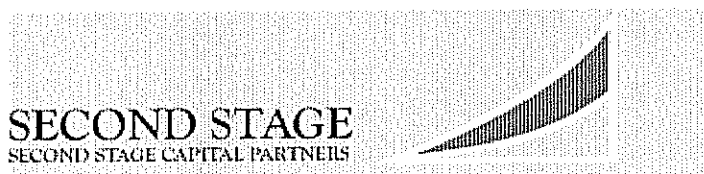


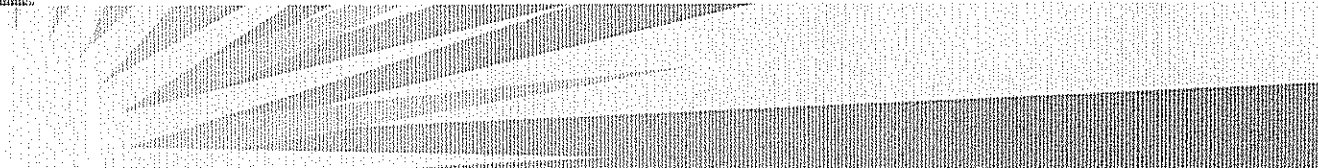
EXHIBIT B

MSearchGroove

the source for news, analysis + commentary on mobile search, mobile advertising + social media

- [HOME](#) to the start
- [ARCHIVE](#) browse freely
- [PORTFOLIO](#) articles published
- [PODCASTS](#) listen?
- [ABOUT US](#) what we do
- [CONTACT US](#) say hello

search



• Jun29

EXCLUSIVE: Singapore's GMT Takes The Web To Mobile; Datacasting Approach Delivers Mobile Advertising & Content To IP Phones

Author: Peggy Anne Salz

The hype around mobile advertising turns up the pressure on brands and Web properties to get their message out on mobile – fast. The options are many and confusing (**one reason why I'm researching a strategic white paper on mobile advertising and also interviewing c-level execs to make some sense out of all the hyperbole**). As the experiences (and some major hiccups) of the last weeks have shown, formatting Web content to fit the phone (let alone match the user) is a tall order. So, you have to ask yourself: If the mobile Web is going to look a lot like the fixed Web – and mobile operators are going to be gateways to the likes of eBay, MySpace and Co. – then **why not simply pursue an approach that dynamically converts Internet content for delivery to the mass market of mobile phones in real-time?**

This brings me to Singapore's [Global Mobile Technology](#) (GMT), a nimble newcomer that has recently filed a patent for [a new technology](#) (aptly called Push-It) that will let Web destinations deliver their rich content and ads to IP-compatible phones. While some low-end phones don't support IP, the company estimates some 1,000 devices do – and that makes for an addressable base of some 2 billion users to start.



Intrigued by the concept and frustrated by the lack of detail in the press release, I caught up with Don Stern, the company's CTO, to learn more about how Push-It pushes live Web content & advertising out to – even if the user hasn't opened the phone's browser. Integrated within that delivery mechanism is also the ability for users to respond.

Put simply, a push via Push-It from an eBay on an item, for example, will include options for users to make a bid, ignore a bid, or take whatever action the site owner has approved. (Naturally, part of the package can be interactive advertising bundled with the option to click-through and/or call-through.)

The technology is under wraps at the moment, but it has been demoed at several trade shows including [Adtech](#). The plan, Don says, is to do "some data testing programs" in 3Q2007 and roll out by end-year. To date the company has tested the solution on a "couple of dozen carriers." It supports "over 400 carriers in over 100 countries." The focus on mobile operators adds up (no pun intended.) After all, mobile operators are the ones scrambling to deliver Web content to users and monetize the traffic through advertising. GMT is well-positioned to benefit from this trend.

But before we get to the business model, let's cover the basics:

Who: GMT sees itself as a tool provider. "With this tool companies can effortlessly deliver content to mobile phones. We get around the browser problems and limitations, the formatting problems and the spamming problems."

What: The Push-It app is 25KB, and "does not require the preparation of WAP pages to deliver the data to the subscriber's mobile device." As Don puts it: "We download a small piece of software that sits on the phone... We are not a connected client-server application and we don't require that the phone is always on and connected to a server. We just take content as it happens and push it out to the user's phone."

Where: The GMT website will soon offer a software development kit. Details are thin, but one part will be a registration API that content companies and brands can put on their Web page, allowing mobile users to sign up for content they want delivered via Push-It to their mobile. Users are accustomed to signing up for alerts, so no new learning necessary here. Moreover, allowing users to sign up for content on their terms means they won't reject the content – or the ads that accompany it – as spam.

How: GMT has created “a kind of extension to http and xml called Global Mobile Language” (GML) that allows it to “take raw Web content and convert it on the fly for the phone.” Don says comparisons to Flash are off the mark. In fact, GMT converts Flash– like everything else – to GML and delivers it directly to the phone. (BTW: **Don tells me his company is not just sold on GML to solve the Web content conversion dilemma; it will also propose GML to the W3C as a candidate for a WAP replacement.**)

And how will GMT make money? Don says he's mulling over several models. One could be a “subscription-type service” that would charge subscribers a monthly fee for access to Web sites and their functionality. At the other end of the spectrum, it could also be a rev-share of the advertising GMT delivers. “Advertising space on the mobile is more valuable than it is on TV or radio because of the personal nature of mobile. You can profile users and target ads and that fetches a higher premium.”

And then there are the social media schemes. Don could envision enabling users or individual content creators to alert their community to when they've posted new content to Friendster or Flickr – or simply push it automatically to the phone. Going forward, there are all kinds of events and developments that users will want to access as they happen. (Not to mention a slew of mobile enterprise apps – GMT began with a sharp focus on delivering business users content in real-time without their companies having to reformat Internet/intranet content.)

Judgment will have to wait until GMT's technology makes the rounds, but a tool that can bring real Web content to mobile phones in real-time provides mobile operators a mechanism to both increase data usage (by signing users up for their favorite web content and services as they happen) and generate ad revenues (by delivering the Web's interactive ads to users as part of the package). Granted, the scheme will need some work before it can deliver the right ad to the right user, but that's a shortcoming common to most mobile content/advertising strategies these days.

- Posted in
- [Usability, Mobile Advertising](#)

0 comments

share



These icons link to social bookmarking sites where readers can share and discover new web pages.



[permalink](#)

Leave a comment

Comment:

Name: *

Email: * (will not be published)

Website URL:

[RSS Feed](#)

Login

FierceMOBILE CONTENT

Published on FierceMobileContent (<http://www.fiercemobilecontent.com>)

Global Mobile files interactive ad patents

By admin

Created Apr 24 2007 - 8:01pm

Data delivery service developer Global Mobile Technologies announced patent filings for its Push-It platform, which enables real-time delivery of user-requested interactive advertising content to mobile phones. According to Global Mobile Technologies, Push-It translates web advertising into mobile-ready formats with click-through and call-through capabilities, effectively enabling content providers to deliver any text, image, music or video with embedded advertising to handsets while eliminating conventional mobile web navigation.

"Push-It solves the problem of delivering rich, interactive advertising to any mobile device, while allowing content owners to maintain control over the look and feel of messaging," said Global Mobile Technologies CEO Jeff Harrison in a prepared statement. "We are introducing another dimension and value to the previously limited reach of mobile phone marketing."

Global Mobile Technologies is currently previewing the Push-It platform for advertisers and content providers, with full-scale rollout scheduled for Q3 of 2007. Might *FierceMobileContent* suggest Salt 'N Pepa as celebrity spokespersons?

For more on Push-It:

- read this [release](#) [1]

Source URL:

<http://www.fiercemobilecontent.com/story/global-mobile-files-interactive-ad-patents/2007-04-25>

Links:

[1] <http://biz.yahoo.com/bw/070425/20070425005375.html?.v=1>